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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,971	06/22/2006	Hiroshi Machida	SH-0064PCTUS	8398

21254 7590 07/09/2010  
MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC  
8321 OLD COURTHOUSE ROAD  
SUITE 200  
VIENNA, VA 22182-3817

EXAMINER
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HOFFMANN, JOHN M

ART UNIT	PAPER NUMBER
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1791

MAIL DATE	DELIVERY MODE
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07/09/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10583971	6/22/06	MACHIDA, HIROSHI	SH-0064PCTUS

MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC  
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**EXAMINER**

John Hoffmann

ART UNIT	PAPER
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1791	20100708
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DATE MAILED:

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**Commissioner for Patents**

The reply filed on 6/7/2010 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): there is no election between B1 and B2 and between C1 and C2. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

As indicated on page 9 of the 5/6/2010 requirement, there are actually three specie choices that need to be made.

To look at it another way: applicant has invented (at least) 8 mutually exclusive species: A1B1C1, A2B1C1, A1B2C1, A2B2C1, A1B1C2, A2B1C2, A1B2C2, A2B2C2. Rather than write the restriction requirement explaining each of those permutations, Examiner used a shortcut by dividing the method into its individual components. Examiner apologizes for any confusion.

Examiner called applicant for an oral election on 8 July 2010. No election was made.

/John Hoffmann/  
Primary Examiner, Art Unit 1791